

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA :
: No. 3:24-CR-
v. :
: (Judge)
JOSE L. ORTIZ, :
Defendant :
:

INFORMATION

THE UNITED STATES ATTORNEY CHARGES:

COUNT 1
18 U.S.C. § 1349
(Honest Services Wire Fraud Conspiracy)

A. Relevant Individual and Entities

At times material to the Information:

1. Company #1 was a food services corporation headquartered in Illinois, and with facilities located nationwide, including in the Middle District of Pennsylvania.
2. Defendant JOSE L. ORTIZ was a manager and, beginning in or about 2018, a director employed by Company #1, and resided in the Middle District of Pennsylvania.
3. Global Staffing Services, Inc. was a staffing company that provided temporary employees to other businesses located in the Middle

District of Pennsylvania, including Company #1. Global Staffing Services, Inc. was headquartered in Philadelphia, Pennsylvania, and was incorporated in the Commonwealth of Pennsylvania on or about April 21, 2008.

4. Penns Independent Staffing was a staffing company that leased temporary employees to other businesses, including Company #1. Penns Independent Staffing was headquartered in Philadelphia, Pennsylvania. In October 2014, the owner and operators of Penns Independent Staffing attempted, unsuccessfully, to organize Penns Independent Staffing as a partnership in the Commonwealth of Pennsylvania.

B. Objects of the Conspiracy

5. The object of the conspiracy was for defendant JOSE L. ORTIZ to secretly use his position as a manager and director of Company #1 to enrich himself by soliciting and accepting gifts, payments, and things of value from the owners and operators of Global Staffing Services, Inc. and Penns Independent Staffing, in exchange for favorable action, and for the owners and operators of Global Staffing

Services, Inc. and Penns Independent Staffing to enrich themselves by secretly obtaining favorable actions from JOSE L. ORTIZ for Global Staffing Services, Inc. and Penns Independent Staffing, through corrupt means.

C. Statutory Allegations

6. From in or about 2014 through 2021, in Lackawanna County, within the Middle District of Pennsylvania, and elsewhere, the defendant,

JOSE L. ORTIZ,

knowingly and willfully conspired, combined, confederated, and agreed with other persons both known and unknown to the United States Attorney, to knowingly devise, intend to devise, and participate in a scheme and artifice to defraud and to deprive Company #1 of its intangible right to the honest and faithful services of JOSE L. ORTIZ, through bribery, kickbacks, and the concealment of material information, and for the purpose of executing the scheme and artifice to defraud, transmitted and caused to be transmitted by means of the internet and wire communications in interstate commerce certain

writings, signs, signals, pictures, and sounds, in violation of Title 18, United States Code, Sections 1343 and 1346.

D. Manner and Means

The objects of the conspiracy were accomplished, in part, by the following manner and means:

7. Between in or about 2014 and in or about 2021, defendant JOSE L. ORTIZ and his coconspirators solicited and accepted cash and things of value from coconspirator owners and operators of Global Staffing Services, Inc. and Penns Independent Staffing.

8. In exchange for the cash and things of value promised by and received from coconspirator owners and operators of Global Staffing Services, Inc. and Penns Independent Staffing, JOSE L. ORTIZ and his coconspirators entered contracts with Global Staffing Services, Inc. and Penns Independent Staffing on behalf of Company #1, and hired the temporary employees of Global Staffing Services, Inc. and Penns Independent Staffing, to render services to Company #1.

9. Coconspirator owners, operators, and employees of Global Staffing Services, Inc. and Penns Independent Staffing sent invoices to

Company #1 by email, using the internet and interstate wires, seeking payment for services rendered by temporary employees of Global Staffing Services, Inc. and Penns Independent Staffing.

10. JOSE L. ORTIZ and his coconspirators caused Company #1 to pay the invoices sent by Global Staffing Services, Inc. and Penns Independent Staffing to Company #1.

11. A percentage and portion of the payments made by Company #1 to Global Staffing Services, Inc. and Penns Independent Staffing were paid by coconspirator owners and operators of Global Staffing Services, Inc. and Penns Independent Staffing to JOSE L. ORTIZ and his coconspirators as kickbacks, in exchange for the hiring by Company #1 of temporary employees from Global Staffing Services, Inc. and Penns Independent Staffing.

12. Between approximately 2014 and 2021, Company #1 paid in excess of approximately \$18,000,000 to Global Staffing Services, Inc. and Penns Independent Staffing, for services rendered by temporary employees of Global Staffing Services, Inc. and Penns Independent Staffing.

13. Between approximately 2014 and 2021, JOSE L. ORTIZ and his coconspirators received hundreds of thousands of dollars in cash kickbacks and things of value from coconspirator owners and operators of Global Staffing Services, Inc. and Penns Independent Staffing. JOSE L. ORTIZ personally received approximately \$200,000 of those cash kickbacks and things of value. During that time period, JOSE L. ORTIZ and his coconspirators maintained the false pretense that they were acting in the best interests of Company #1, when in fact they were participating in a pay-to-play kickback scheme.

In violation of Title 18, United States Code, Section 1349.

FORFEITURE ALLEGATION

14. The allegations contained in Count 1 of this Information are hereby realleged and incorporated by reference for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461.

15. Upon conviction of the offense in violation of Title 18, United States Code, Section 1349, the defendant,

JOSE L. ORTIZ,

shall forfeit to the United States of America, any property, real or personal, which constitutes or is derived from proceeds traceable to the offense, including but not limited to:

- a. approximately \$200,000 in United States currency;

16. If any of the property described above, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;

- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c).

All pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461.

Date: 5/7/24

GERARD M. KARAM
United States Attorney

By:



PHILLIP J. CARABALLO
Assistant United States Attorney